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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/273,448	03/22/1999	SHINGO OHKAWA	1185.1044/JD	7146
21171	7590	09/20/2005	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			NGO, HUYEN LE	
			ART UNIT	PAPER NUMBER
			2871	

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/273,448

Applicant(s)

OHKAWA, SHINGO

Examiner

Julie-Huyen L. Ngo

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-22, 25 and 27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-22, 25 and 27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Fig 2 of 09/273,448

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/01/2005 has been entered.

Applicant cancelled claim 26 and added new claim 27, which presents the inherent property as below.

Response to Amendment

Applicant's arguments with respect to claims 13-22, 25 and 27 based on the Response filed on 08/01/2005 have been considered; however, the same prior art and ground(s) of rejection can be applied. Therefore, this is Final action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13-16, 25 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okuda et al. (US5963280A) in view of Oyama et al. (US5808708A) and further in view of Miyashita et al. (US6011602A).

With respect to claim 13, 25 and 27, Okuda et al. teach (Fig. 4, col. 16 line 62 to col. 17 line 17) a liquid crystal display including a liquid crystal display panel and a surface light source device of side light type for backlighting of the liquid crystal display panel, said surface light source device comprising:

- a first guide plate;
- a first primary light source 17 with red color disposed beside the first guide plate;
- a second guide plate;
- a second primary light source 8 with blue color disposed beside the second guide plate;
- said first guide plate having two major faces to provide a first emission face and a first back face and having a minor face to provide a first incidence end face;
- said second guide plate having two major faces to provide a second emission face and a second back face and having a minor face to provide a second incidence end face;
- said first guide plate and said second guide plate being laminatedly arranged so that said second back face extends along said first emission face;
- said first incidence end face and said second incidence end face being located oppositely to each other across said laminatedly arranged guide plates,

Art Unit: 2871

- a light control member (the scattering layers 14 and 16) to control directivity of output illumination light is disposed along said second emission face.

However, Okuda et al. fail to disclose:

1) that said light control member is a prismatic light control member having:

- a great number of pairs of first and second slopes to control directivity of output illumination light is disposed along said second emission face so that said first slopes mainly receive light from said first primary light source and said second slopes mainly receive light from said second primary light source (claims 13 and 25).

2) a driving circuit to drive the first primary light source and the second primary light source.

Miyashita et al. teach (Figs. 23-25) forming a prismatic light control member 321 with a great number of pairs of first and second slopes to control directivity of output illumination light, said prismatic light controller member is disposed along an emission face of the light guide 307. The first slopes mainly receive light 305 from one side of the light guide or the light source 322, and the second slopes mainly receive light 306 from another side of the light guide to control the directivity of the light illuminated from the light guide for improving the frontal 'illumination performance.

Therefore, it would have been obvious for Okuda in view of Oyama LCD to employ a prismatic light control member 321 with a great number of pairs of first and

Art Unit: 2871

second slopes to control directivity of output illumination light, and be disposed along the second emission face of the guide plate so that the first slopes mainly receive light from said first primary light source 17 and said second slopes mainly receive light from said second primary light source 8 for improving the frontal illumination performance, as taught by Miyashita et al.

Although Okuda et al. do not clearly disclose a driving circuit to drive the first primary light source and the second primary light source. One of ordinary skill in the art would have known that there must be a driver circuit to drive/control the light sources for adjusting the intensity of output light from the light source or for selectively outputting a specific color display as evidenced by Oyama with the control circuit 16 for controlling the light sources 3 on the back surface of the light guiding plates 4114 (Figs. 2, 3 and 8, col. 1, lines 26-33, col. 7, lines 24-27 and col. 11, lines 26-28).

Therefore, It would have been obvious for Okuda LCD to employ a driver circuit such as the control circuit 16, as taught by Oyama, for controlling the first primary light source 17 and the second primary light source 8.

With respect to claim 14, it would have been obvious for one of ordinary skill in the art to selectively turning off one of the first and second primary light sources to adjust the intensity of light output or for selecting a specific color display. Therefore, the

driver circuit in Okuda in view of Oyama LCD device would obviously be capable of turning off only one of the first and second primary light sources.

With respect to claims 15 and 16, Okuda et al. teach (Fig. 4) that said first and second guide plates have wedge-shaped cross sections so that said first and second incidence end faces are located at thicker ends of the cross sections, respectively.

Claims 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okuda et al. in view of Oyama et al. and Miyashita et al. as applied above to claims 13-16, and further in view of Ohkawa (US 5997148).

Okuda et al. fail to disclose the features recited in claims 17-20.

Ohkawa teaches (figs. 1 and 2 and col. 5, line 32-col. 6 line 14) forming a great number of projection rows 102 running approximately at right angles with respect to the incidence end face 12A on the lower edge/back face 12B of a guide plate 12 for preventing the reflective appearance. It has a possibility to influence the directivity of characteristic of emission light from the emission surface 12C of light guide 12. Doing so would suppress the appearance of bright light entering the vicinity of the lower edge E1 and provides output light having high uniformity.

Therefore, it would have been obvious for one of ordinary skill in the art to form a great number of projection rows running approximately at right angles with respect to the first incidence end face on the first back face of the first light guide of Okuda in view of Oyama and Miyashita LCD device for suppressing the appearance of bright light

Art Unit: 2871

entering the vicinity of the lower edge and provides output light having high uniformity, as taught by Ohkawa.

Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okuda in view of Oyama and Miyashita et al. as applied to claim 13, and in further view of Arai (US6049649).

With respect to claim 21, a prism sheet (light control member) is conventionally used to modify the preferential propagation direction such as frontal direction of output light in a surface light source device such as the light control members 4/14 disclosed by Arai (figures 3,4 and 11-18). This light control member is provided with slopes on the inner reflection surface facing the emission surface of the guide light to modify the directivity of illumination output light from the light guide and for uniform illuminating of the output light.

Therefore, it would have been obvious for one of ordinary skill in the art to employ a light control member having the slopes provided on the inner reflection surface in Okuda in view of Oyama and Miyashita LCD device to modify the directivity of illumination output light so that illumination output light originated from any one of the first and second primary light source is directed to the frontal direction with respect to the second emission face, as taught by Arai.

With respect to claims 22, the light control member employed in Okuda LCD in view of Oyama, Miyashita and Arai, as applied to claim 21 above would obviously has

an inner face provided with a great number of projection rows running approximately parallel with respect to the second incidence end face, wherein each of said projection rows including a pair of first and second slopes for modifying the directivity of illumination output light from the second emission surface of the second guide plate.

Response to Arguments

Applicant's arguments filed on 08/01/2005 have been fully considered but they are not persuasive.

Applicant's ONLY arguments are follows:

Miyashita et al. teaches that light is only output from a single light source, to projections 312, and then through the side surfaces of the projections 312, towards a prism array 321. Thus, light not respectively received from the first and second light sources to the first and second slopes.

Examiner's responses to Applicants' ONLY arguments are follows:

Applicant is to note that The Examiner merely relied on the teaching of Miyashita et al. for having the prismatic light control member 321 with a great number of pairs of first and second slopes disposed along an emission face of the light guide 307 to control directivity of output illumination light from the light guide 307. As one can see from figure 25, the first slopes mainly receive light from one side of the light guide or the light source 322, and the second slopes mainly receive light 306 from another side of the light guide to control the directivity of the light illuminated from the light guide for improving the frontal illumination performance.

The combination of Okuda, Oyama and Miyashita inherently disclose “light not respectively received from the first and second light sources to the first and second slopes” or detail description cited in claim 27: “*said first slopes are next to said second primary light source and directly receive said light from aid first primary light source, and said second slopes are next to said first primary light source and directly receive said light from said second primary light source*”.

However, in Figure 2 of instant application, The light rays are receivable in all directions; therefore, **there is nothing to avoid** that the first and second slopes BOTH receive light from first primary light source or second primary light source (See attachment for other possible light rays).

Conclusion

This is a RCE of applicant's earlier Application No. 09/273448. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

Art Unit: 2871

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

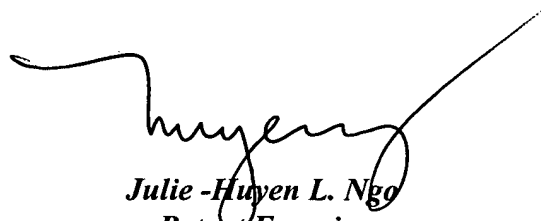
Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Julie-Huyen L. Ngo whose telephone number is (571) 272-2295. The Examiner can normally be reached on T-Friday.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Mr. Robert H. Kim can be reached at (571) 272-2293.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-1562.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 18, 2005


Julie-Huyen L. Ngo
Patent Examiner
Art Unit 2871

Attachment (please scan and send)

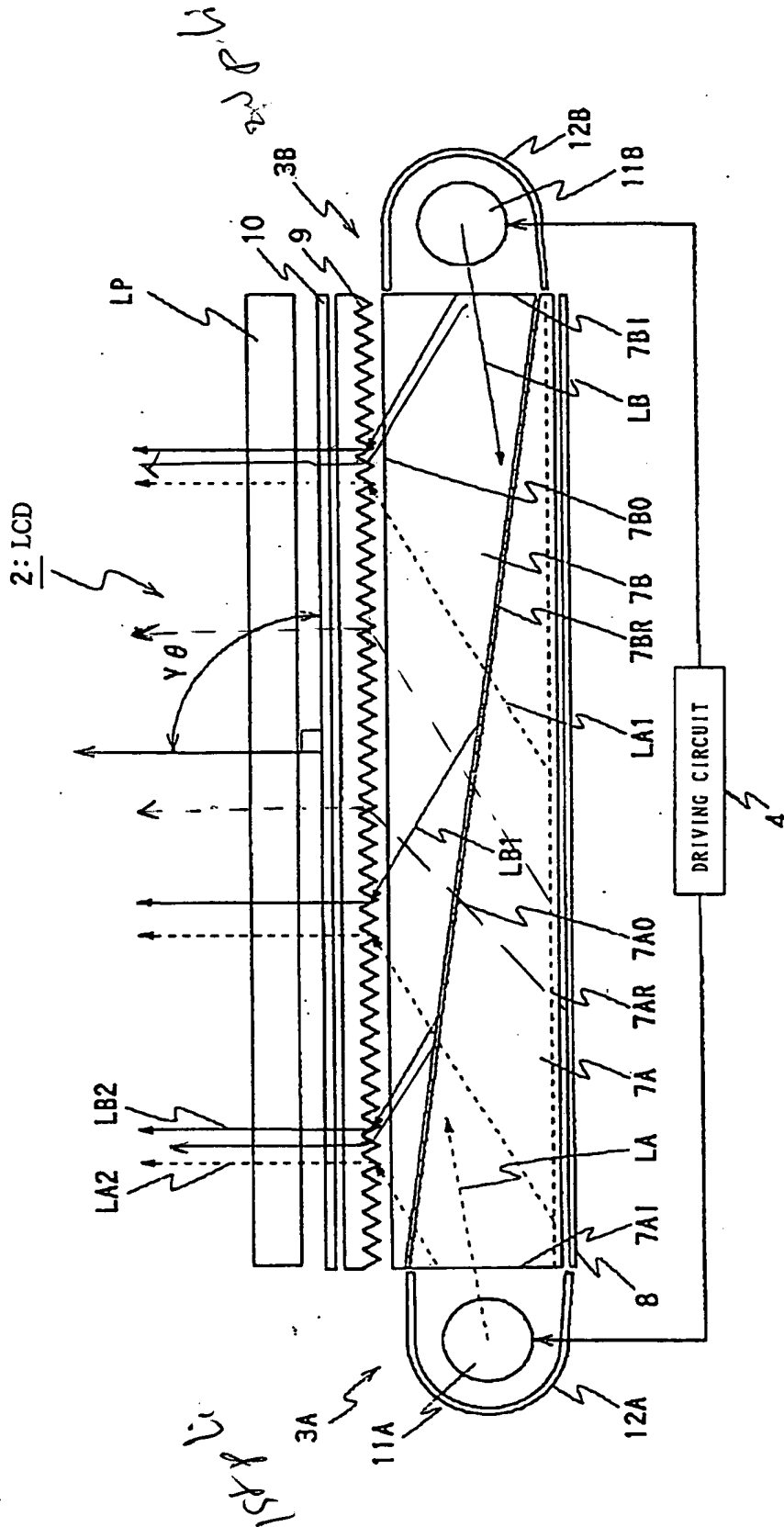


Fig. 2